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September 22, 2020

**VIA CM/ECF & EMAIL**

The Honorable Analisa Torres  
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 Daniel Patrick Moynihan United States Courthouse  
 500 Pearl Street  
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**Elyse D. Echtman**  
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Re: *Novasano LLC, et al. v. Arctic Security OY, et al.*, United States District Court, Southern District of New York, Case No. 1:20-cv-05892

Dear Judge Torres:

We represent defendant Synopsys, Inc. (“Synopsys”) in the above-referenced action. We write on behalf of all parties who have appeared in this action to date,<sup>1</sup> pursuant to this Court’s Individual Practices in Civil Cases, Sections I(C) and II(B), to jointly request adjournment of the initial pretrial conference and extension of the related deadlines for submission of a joint letter and Case Management Plan and Scheduling Order. The parties respectfully request that the initial pretrial conference currently scheduled for September 29, 2020 (ECF No. 23 at 1) be adjourned to a date convenient for the Court that is at least three weeks after the October 12, 2020 due date for Plaintiffs to file an amended complaint (*see* ECF No. 42) – *i.e.*, November 3, 2020 or thereafter. The reasons for this request are set forth below.

In accordance with the Court’s Individual Practices, on September 15, 2020, defendants Synopsys, Arctic Security US Ltd. and David Chartier submitted pre-motion letters setting forth the grounds on which they intend to move to dismiss the original complaint. ECF Nos. 37, 39. In Plaintiffs’ responsive letter, submitted on September 21, 2020, Plaintiffs stated an intent to amend the complaint to address certain of the deficiencies raised in the defendants’ letters. ECF Nos. 40, 41. Among other things, Plaintiffs intend to drop parties from the amended complaint, including named defendants that have not been served with the summons and complaint.

In response to the pre-motion letters, the Court entered a schedule setting an October 12, 2020 due date for an amended complaint, an October 26, 2020 due date for renewed pre-motion letters and a November 2, 2020 due date for Plaintiffs’ response to the pre-motion letters. ECF No. 42.

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<sup>1</sup> The appearing parties include plaintiffs Novasano LLC, Novasano Health and Sciences LLC, Novasano Health and Sciences, Inc., Novasano Finland OY, and Dale Nordenberg (collectively “Plaintiffs”) and defendants Arctic Security US Ltd., David Chartier and Synopsys.

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Because the contours of this case will change in connection with an amended complaint that, among other things, changes the parties named in the case, the current parties respectfully submit that it would be premature to hold an initial pretrial conference next week for the purpose of setting a case management schedule. The parties will be in a better position to propose an appropriate case schedule after Plaintiffs have amended their complaint. Pursuant to the current case schedule, the parties have a joint letter and proposed scheduling order due today, which is one week prior to the September 29, 2020 initial pretrial conference date.

Defendants Synopsys, Arctic Security US Ltd. and David Chartier have each previously requested one extension of their time to respond to the complaint. Those extensions were made on consent and granted.

Respectfully submitted,

*s/ Elyse D. Echtman*

Elyse D. Echtman

cc: all counsel of record

GRANTED. The initial pretrial conference scheduled for September 29, 2020 is ADJOURNED to **November 5, 2020 at 11:00 a.m.** The conference will proceed telephonically. The parties are each directed to call either (888) 398-2342 or (215) 861-0674, and enter access code 5598827.

By **October 29, 2020**, the parties shall submit their joint status letter and proposed case management plan.

SO ORDERED.

Dated: September 22, 2020  
New York, New York



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ANALISA TORRES  
United States District Judge